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SENSITIVE
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SUBJECT: NIGERIA: FOREIGN MINISTER DISCUSSES CLOSURE OF CHANNELS TV

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11. (SBU) SUMMARY. On September 19, Ambassador Sanders called Foreign Minister Ojo Maduekwe to discuss his upcoming visit to the United Nations General Assembly (UNGA). In a side conversation, the Ambassador raised concerns about the way in which Channels TV was summarily shut down, saying it fell outside the bounds of the rule of law and freedom of the press (reftel). The FonMin agreed that the GON could have handled the situation differently, but there was a sense that the suspension was warranted until an investigation could be completed to ensure that there were no subversive measures underfoot. The Ambassador said this issue and others, such as the lack of closure on big cases in the EFCC, would be on the minds of USG representatives at UNGA. End Summary.

12. (SBU) In a side conversation with Foreign Minister Ojo Maduekwe, Ambassador Sanders raised concerns about the way in which Channels TV was summarily shut down, stating that it fell outside the rule of law and freedom of press. The Ambassador noted that Assistant Secretary of State for Democracy, Human Rights and Labor, David Kramer, who met the FonMin on a recent visit to Nigeria, also expressed concern about the GON's recent actions toward the private television entity. The FonMin said the actions of the GON were "an unfortunate set of circumstances," but underscored just how nervous and concerned people are about issues the GON feels undermine its national security. He agreed that things probably could have been handled differently and better, but said there was a sense that the suspension was warranted until the investigation could be completed to ensure there were not any subversive measures underfoot.

13. (SBU) The Ambassador asked the FonMin why the GON did not use the legal system and the court to address its concerns rather than taking police action against an entity acting under its right to freedom of the press. He said, as he has many times, that Nigeria is a young democracy, and that it is going to make mistakes from time to time, but its friends should try to work with it through these mistakes and avoid the position of always criticizing. The Ambassador noted that freedom of the press is one of the pillars of democracy and it disturbs the international community when any democracy, young or old, takes this sort of action. The FonMin explained that the GON was trying to rectify the situation, and that he was dispatched to visit not only the governor of Lagos, but also President and CEO of Channels TV John Momoh on September 19, which he did. Maduekwe told Momoh that this clearly could have been handled differently, but that all institutions in Nigeria needed to work together not only to improve democracy, but also to collaborate on any problems that might arise, such as this. The FonMin said Channels TV was up and running and the suspension was lifted because the investigation showed no intentional wrong doing.

14. (SBU) The Ambassador told the FonMin that as he prepared for his

trip to UNGA, the issue of biggest concern for the USG will continue to be the lack of closure on big cases in the EFCC, but that given the incident with Channels TV the issue of freedom of the press will most likely arise, as well as our desire to support and work closely with the GON as it tries to address issues in the Niger Delta.

15. (SBU) The FonMin told the Ambassador that he had received the non-paper on UNGA and thought he could support most of the USG positions on UNGA in an effort to get our bilateral relationship and dialog back on track.

SANDERS